Diotrephes Catechised:

OR

Sixteen IMPORTANT

QUESTIONS

Touching the *ECCLESIASTICAL* Iurisdiction and Censures (contradistinct to Civill) now eagerly pretended to and challenged by a *Divine Right*, by some *Over-rigid Presbyterians*, and *Independents*. Propounded to both these *Dissenting Parties*, for the further *Discovery* of *Truth*; the *preservation* of the *Civill Christian Magistrates Interest*, and speedier *comprimising* of our present unhappie *Controversies* touching CHURCH-*Government*: On which many now so *over-dote*, as to place the whole *Kingdom of Christ and substance of Religion therein*; to repute all our former *Reformation*, a meer *nothing*, the *Church of Christ undone*, and the exercise of their *Ministry*, not only *fruitlesse* but *unlawfull*, so as they cannot with good *Conscience continue*, but threaten to relinquish it, in case they cannot obtaine their *demands* of such an *Exorbitant power*, by *Divine Institution*, which *Christ* and his Apostles never claimed, exercised, nor themselves, nor Predecessors, ever formerly enjoyed, petitioned for, or pretended to in any age, but this.

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LUKE 22. 24, 25, 26. MAT. 20. 25, 26, 27.

And there was a strife among them, which of them should be accounted the *Greatest*. But *Jesus* called them unto him and said; *ye know*, that the Princes of the Gentiles *Exercise Lordship* (or *Dominion*) over them, and they that are great *exercise Authority upon them*; But *it shall not be so among you*; But whosoever will bee *Great among you*, let him be your Servant; Even as the Sonne of man came, not to be *Ministered unto*, but to *Minister*.

1 PET. 5, 2, 3, 5. Feed the Flock of God which is among you, taking the oversight, (or care) thereof, not by constraint, but willingly; not for filthy lucre, but of a ready mind, Neither as over-ruling, (*or being Lords over*) Gods heritage, but being ensamples to the flocke: Yea all of you, be yee subject one to another, and be cloathed with *humility*; for God *resisteth* the *Proud*, and giveth *Grace* to the humble.

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Sixteene *Important Queſtions* touching the *Eccleſiaſticall Iuriſdiction* and *Cenſures*, Contradiſtinct to *Civill*, now challenged by a Divine Right.

THe ſerious conſideration of the *importunate Claimes* of a *new* kind of *Eccleſiaſticall juriſdiction* by a pretended *Divine Right*, by thoſe very men who of late ſo eagerly declaimed againſt the *Old*, as *Antichriſtian* and *Papall*, when challenged by our *Prelates* upon the ſelf-ſame grounds and Title, hath induced me to propound theſe few *Important* Queſtions to the *over-eager proſecutors* of this ſuppoſed *Divine Authority*, at leaſtwiſe to *moderate*, if not *extinguiſh* thoſe unſeaſonable deplorable *late kindled flames of contention*, which if not timely prevented, may prove more fatall to our *Churches*, *Kingdoms*, then all the former *diſſentions*, and break forth into a new *Civill war*, between our ſelves, when we have totally vanquiſhed the *common enemy*. The *Prelates* deſerting of their undoubted *jus humanum*, and unadviſed challenge of a *jus Divinum* to advance, perpetuate their *Juriſdiction*, and ſwearing men to this their *Title* by a new, &c. *Oath*, was the *immidiate forerunner*, yea *principall meanes* of the utter ſubverſion both of their *Hierarchy* and *Authority*. And we have cauſe to feare that ſome *over-rigid Presbyterians* inconſiderate zeale, in waving the *Presbyteriall Authority* veſted in them by an *unqueſtionable Ordinance of Parliament* (to their full contents as moſt men deemed;) and reſorting to a more *dubious diſputable* (pretended) *jus Divinum* (formerly laid aſide by both Houſes of Parliament and the Aſſembly, though now reſumed, revived,) the more highly to advance and firmely ſettle it in our Churches, may produce the like contrary unexpected effect: and either revive the *old exploded Luciferian Epiſcopacy*, or introduce that more feared *Anarchicall Hydra* or *Bible* of *Independency*, which they moſt endeavour to ſuppreſſe; or at leaſtwiſe revolve the *cenſorius* or *corrective power* of all *ſcandalous ſins and ſinners into the Civill Majeſtrates hands*, the farre ſafeſt of the three: on whoſe behalfe, I ſhall wish the ſpirit of *Peace* and *Meekeneſſe* propoſe theſe following *Queries*, both to my *Preſbyterian* and *Independent Brethren*; deſiring their acquieſcens in, or ſerious anſwers to them after *found deliberation* (laying aſide all private Intereſts and deſignes, whatſoever, which may miſguide their judgments) for the ſifting out of that one Golden *medium* of *ſacred truth*, which can onely reconcile and cordially re-unite us in the *bonds of Love*.

1. Whether all ſcandalous ſins and offenees now pretended by *Preſbyterians* or *Independents* to be of *Eccleſiaſtical cogniſance*, be not by Gods own

Institution and command as well before, as under the Law, and through out the *Old Testament*, inquirable, examinable and to bee determined, judged onely by the *temporall Magistrates*, or *Civill powers*, and punished only with temporall or corporall punishments, not by any *Ecclesiasticall Persons, Officers*, or Church Censures only, distinct from civill; since, we read that the severall scandalous sins of (a) *Idolatry*, (b) *cursing, blaspheming*, (c) *Sabbath-breaking*, (d) *disobedience to Parents naturall or civill*, (e) *Whordome, Adultery*, (f) *Incest, rape, Sodomy, Buggery*, (g) *Murther*, (h) *Witchcraft, Sorcery*, with sundry *other sins*, were *by Gods own precept* to bee inquired after, censured, punished by the *Temporall Majestrate, civill Congregation, powers and People only*, with civill punishments alone, *as putting or stoning to death, burning*, (i) *hanging*, (k) *fines, stripes and the like*, but never enjoyned to be examined, censured by Ecclesiasticall Persons Officers, or to be punished by them with Church censures, as Excommunication, Suspention from the Passeover, Circumcision, Sacrifices, Festivalls, or any publike Ordinances then in use, or exclusion from the Temple or Synagogues, as the marginall texts demonstrat. And more especially Ezra. 7. 25. 26. where King *Artaxerxes* sending Ezra the *Priest* (descended lineally from the *High-Priests before him*, as is evident by v. 1. to 6) up to *Jerusalem*, with a speciall *Commission* to repaire *the City Temple, restore the service of God therein*, and settle the Government of that place accotding to the Law of God, gives him this command: *And thou* Ezra, *after the wisdome of thy God, that is in thine hand, set Magistrates and Judges that may judge ALL THE PEOPLE that are beyond the River, all such as know the LAW OF THY GOD and teach yee them that know them not: AND* WHOSOEVER WILL NOT DO THE LAW OF THY GOD, *and the Law of the King; let judgment be executed speedily against him*, not by *Ezra* the Priest, or any Ecclesiasticall Consistory or Presbytery of Priests, with meere Ecclesiasticall Censures of Excommunication or suspention from the Temple, or publike Ordinances of God no such Church Officers, punishments being then known, or instituted by Gods Law, but by the *Majestrates and Judges* appointed, who were to punish them only with temporall censures, as the following words thus resolve *Whether it be unto DEATH, or to BANISHMENT, or to CONFISCATION of GOODS or to IMPRISONMENT*: the only punishments, censures then inflicted on Delinquents against *Gods Law*, as well as against the Kings: Yea had there bin any other censures Ecclesiasticall distinct from those temporall, which ought by any Divine Right or institution then to have bin inflicted upon notorious scandalous offendors against Gods Law by the *high Priest*, or any other Church Officers or Judicatory, no doubt this devout King upon this occasion would have expresly commanded *Ezra* the Priest himselfe, or those Church Officers or Judicatories to have duely executed the same when he gave him this large Commission, and extended so much extraordinary favour to him, that hee cryes out in the very next ensuing words, *ver. 27. Blessed be the Lord God of our Fathers, who hath put such a thing as this into the Kings heart, &c.* Which as it expresly determines, that this

(a) Levit. 20. 4. to 8. Deut. 13. 4. to 18. c. 17. 2. to 8 Josh 22 10. to 34. 2 Chron. 23 17. 15, 13 Judg 6 30, 31. 1 King 18, 40 2 King 10, 20. to 29. c. 11, 18.
(b) Exod. 21. 17. Levi. 20. 9. c. 24. 10. to 16. 1 Kings 21. 10. to 16. Dan. 3. 29. Mat. 26. 65.
(c) Exod 21. 14. Numb. 15. 32. to 37.
(d) Exod. 21. 15, 17. Levit. 20. 9. Deut 21 18. 19, 20. Josh 1. 18. 1. Sa 11, 12. 14. 7. 25. 29
(e) Gen. 26. 11 c. 38, 24, 25, Levit. 20. 10, 15, 17, 18. Deut. 22. 22 to 25 Levit. 18. 6. to 30 c. 21. 9 John 8, 4, 5,
(f) Levit. 18. 22, to 30 c. 20, 11, to 22. Exod. 22. 19. Judg. 20, 1. to 35
(g) Gen. 9. 5. 6 Exod. 21. 12, 13, 14. Levit. 24, 17. Num. 35. 15, to 34. 1 King 2. 32. 035
(h) Levit. 20 27. Deutr. 18. 11. 1 Sam. 28. 9. 1 Deu. 21. 22
(i) Deut. 22. 28 19. 19, c 25. 2, 3 2 Cor. 11, 23. 24. c. 6. 5. Deu. 22. 47. 48 Acts 16. 22. 23

this Commission and so excited direction was inspired into the Kings heart by God himselfe, and so most consonant to his written word and Law? so it insinuates, that by the Law of God in those dayes, all scandalous Offenders against Gods Law were to be punished only by the civill Majestrates and Judges with civill punishments, not by any Ecclesiasticall Officers, or judicatory, with any Church censures whatsoever. This may bee further evidenced by the Priests, Prophets, Peoples, and Princes proceedings against *Jeremiah*, and *Uriah*, who for preaching and prophecying falsly, (as was supposed) were punished by the *King & Princes upon the Priests, Prophets, and peoples malicious accusation* only *by* * *imprisonment and death alone*, not by Church censures Church judicatories: Yea *Deut.* 13.5. *false Prophets are expresly enjoyned to be put to death by the civill Majestrate, not punished by the Ecclesiastical powers with excommunications or suspentions.* And it is most cleare and undeniable by the 1 *King* 22. 26, 27. 2 *Chron.* 16.10 c.18. 25.26. *Mat.* 14.3,4 5. *Luk.* 22. 23. *Acts* 5.18.19.c.8.3.c.12.2,3 4. c. 16. 23, 24.c.22. 19.20. to 30.c.24. & 25. & 26. 2 *Cor.* 6.5. *Heb.* 11.36. 37. That both in the Old and new Testament, *false Prophets, teachers and broachers of Erroneous doctrine*; or such who were so reputed though true, yea the *Apostles* & Saints of *Christ*, for preaching, professing the *Gospell and truth of God* amongst the *Jewes* and others who reputed it * *Heresie scisme or false doctrine* contrary to what they had formerly received, were usually convented before the civill Majestrates and punished with *imprisonment, stripes, putting or stoning to death*, and the like, but not with excommunication, or any Ecclesiasticall censures of divine institution, though now made matters of meer Ecclesiasticall Cognisance. And if so, whether the temporall Christian Majestrates and civill powers, as such have not now the self-same divine Authority to punish such sinnes and sinners under the Gospell, onely with temporall punishments, without the interposition, examination, or Censures of any Church-Officers or Presbyteries, as the Godly temporall Majestrates and civill powers had then under the Law? If not, how the contrarie can be evidenced by cleare Scriptures, and by what texts in particular?

* Jer. 26. throughout c.29,26.c.31. 33,c.37.18,19 c.38. & 39.

* Acts 24,14. c.28,22.

2. Whether the texts of *Deut.* 17.8.to 14. and 2 *Chr.* 19.8. to the end, do warrant any *Ecclesiasticall jurisdiction*, Congregationall or *Classicall* in causes meerly Ecclesiasticall, or any meere Church censures, distinct from the civill Majestracy, and temporall censures, as * some now pretend? Whether the genuine scope and sence of these texts, hold forth any more or other jurisdiction and power in the *Priests, Levites*, or *High Priest* himselfe, then this: That they joyntly with the *temporall Judges and chiefe of the Fathers of Israel* not alone by themselves should resolve (not ordinary plaine, or undisputable, but only *all such doubtfull cases, or controversies which the ordinary Judges or Majestrates in their Cities held dubious, or too hard for them to determine aright between* not scandall and scandall, or who should be excommunicated, suspended from the Ordinances, as scandalous, ignorant or unfit, and who not; but *between blood and blood plea and plea, stroke and stroke* (being matters of civill controversie) *in their gates; and between Law, and Commandement, Statutes and judgments*, (to wit the *judicial written Law* of God) upon whose exposition any civill doubts, or controversies should

* See Mr. *Rutherfords* Divine Right of Church-Government, c.14 *qu:* 10 *p.*386 &c. 408.412. 416.505.506. 545.

ariſe which the people themſelves could not reſolve, [*whoſe ſuperior reſolutions they ſhould ſubmit to, and proceed accordingly to execution*; and he *that would preſumptuouſly diſobey and not ſubmit to their ſentence*, was not to be excommunicated or ſuſpended, * *but put to death*; (a meer civill cenſure) to terrifie others. And if this only be the ful ſence and meaning of theſe texts, whether any epiſcopall, presbiteriall, claſſical or congregationall juriſdiction to correct ſcandalls with meer Eccleſiaſticall cenſures can bee deduced from them? Whether that ſpeech of *Jehoſhaphat*, 2 *Chro*. 19. 11. *And behold Amariah the chiefe Prieſt is over you in all matters of the Lord* [not ſcandalous ſins and Eccleſiaſticall offences committed by the Prieſts or people, no matters of the Lord, but ſins of men deteſted by the Lord;] imply or neceſſarily enforce, that he had any Eccleſiaſticall juriſdiction in point of judicature, to cenſure, puniſh all or any ſort of ſcandalous ſinners with *Church* cenſures, of which there is not one ſillable in the text] veſted in him by any divine Authority? And if ſo, whether it makes not more for Papall and Archiepiſcopall, then *Preſbyteriall*, *Claſſicall*, *or Congregationall* Authority? this power or ſuperintendent juriſdiction *over all matters of the Lord*, being veſted in this *High Prieſt alone*, and no other. Or rather, whether it be not clearly meant, that as King *Joſiah* himſelfe did by his owne *Regall Authority* appoint Judges in the Land, and in *Jeruſalem*, in the preceeding 5, 6, 7, 8, 9. and 10. verſes, *to determin all controverſies, and puniſh all Offences whatſoever, according to the Laws of God and that Kingdom*; ſo, hee did by the ſelfe-ſame regall authority appoint *Amariah, then chiefe Prieſt*, over the Prieſts and Levites only, (implyed in the word *You*, not over the people of the Land] *in all matters of the Lord*, that is, to order, direct the Prieſts and Levites under him in their ſeverall *courſes, and all matters whatſoever concerning the worſhip, ſervice, Oblations, and ſacrifices of the Lord to be performed by them in the Temple at* Jeruſalem: in the ſelf-ſame manner, as he ſet *Zebadiah the ruler of the Houſe of Judah, over all the Kings matters*; in the very next enſuing words? That is, (as all conſent,) not over the people and kingdom for to judg and govern them, for that the Iudges forementioned were to do, but over his houſhold, lands, revenewes as his Lord Treaſurer, or Lord high Steward of the Revenews of the Crown, as the comparing of it with 1 *Chr*. 26. 30. 33. [*And of the Hebronites, Haſhabiah and his brethren, men of valour, a thouſand and 700. were Officers among them of* Iſrael *on this ſide of Iordan weſtward IN ALL BUSINESSES OF THE LORD, and in the ſervice of the King*, &c. *And his Brethren, men of Vallour were* 2000. 700. *chiefe Fathers, whom King* David *made Rulers over the Rubenites, Gaditer, and the halfe Tribe of Manaſſeth, for EVERY MATTER PERTAINING UNTO GOD and Officers of the King*, joyntly: (*therefore Church Officers made by the King, and alterable at his pleaſure, not by any Divine inſtitution of God himſelfe*;) *and the paralleling it with theſe expleanatory texts*, *Num*. c. 3. & 4. & 18. 3. to 12. 1 *Chr*. 9. 10. to 35. c. 23. & 24. & 25. and 26. 2 *Chro*. 5. 7. to 14. c. 8. 14. 15. c. 13. 9. 10. 11. 12. c. 26. 16. to 21. c. 29. 3. to 35. c. 30. 16. c. 31. 2. 3. 11. to 20. c. 35. 2. 12. *Ezra*. 6. 7. 18. *Neh*. 12. 40 to 47.

compared

* Deut. 17. 12. 13.

compared with *Heb.* 5.1,2. *For every high Prieſt taken from among men, is ordained for men IN THINGS PERTAINING TO GOD, that hee may offer both gifts and ſacrifices for ſins, &c.* infallibly demonſtrate? And if ſo, then what Divine warrant is there from hence for any ſuch *Eccleſiaſticall Juriſdiction* diſtinct from the *temporall*, as many now contend for, from theſe two noted texts? or for any Prieſts, Miniſters of the Goſpell, or Church Officers diſtinct from the temporall Majeſtracy, to examine, correct any ſcandalous offences by a meer Eccleſiaſticall power, or to puniſh them with Church Cenſures, different from civill puniſhments?

3. Whether the Prieſts juriſdiction to judge of [*l*] *all cauſes of Leproſie* (no ſcandalous ſin nor offence, but a meer naturall infirmity,) and that only among the *Jews*, yea as well in *houſes, garments, Veſſels,* [no ſubjects of Eccleſiaſticall cenſures] as *perſons*: or their *proceedings in the caſe of* in *Ieloſie*, by vertue of expreſſe ſpeciall Leviticall or Ceremoniall Lawes (the only caſes wherein the Prieſts were appointed to bee as ſole Judges in the old Teſtament, whoſe proper office was, [*n*] *to offer ſacrifices & make attonement for ſins, not to cenſure* or *puniſh them*;] be any infallible proofe of the Aaroni call Prieſts or Presbyteries *Eccleſiaſticall Judicature* or *juriſdiction* to cenſure all ſpirituall Leproſies of the ſoule with Church cenſures? Or of the Eccleſiaſticall juriſdiction of *Preſbyteries* or *Independent Congregations* to judg or cenſure all cauſes of *ſpirituall Leproſie*, or *ſcandalous offences* under the Goſpell? And whither we may not as ſoundly argue from the Writ, * *De Leproſo amovendo*; and the Statute of 1 *Iac.* chap. 31. as they from theſe Texts; *Majors, Bayliffes of Towns, Juſtices of Peace, Conſtables and other Officers may lawfully remove Lepers, and ſhut up perſons infected with the Plague of Peſtilence, Ergo*, they may excommunicate and ſuſpend from the Sacrament all ſuch as are ſcandalouſly or notoriouſly infected with the Leproſie and plague of ſin?

(*l*) Lev. c. 13. & 14.

(*m*) Num. 5. 12. to 31.

(*n*) Exod. 30. 10. Lev. 4. and 5. c. 6, 7. c. 7, 8. Num. 8. 19. 21. c. 15. 25. &c. Heb. 5. 1, 2, 3.

* *Regiſt. f. 267. Fit. Nat. Brev. f. 234.*

4. Whether, *Deut.* 13. 12, 13, 14. *Joſh.* 22. 10. to 34. *Judg.* 20. 1. to 18. 2 *Chron.* 19. 9. to 11. *Ezra.* 10. 16, 17. [where we read of temporall Officers, Princes ſent and imployed Commiſſioners, as well as Prieſts, to inquire after Idolaters, Idolatry, rapes, mariages with heathniſh Wives, and other Eccleſiaſticall crimes] compared together, bee not a ſtronger Scripture evidence for proofe of the Parliaments, and *Lay-Commiſſioners* Authority, to inquire after, yea puniſh *Idolaters* and *ſcandalous ſinners*, then any texts that can be produced by the *Preſbyterians* or *Independents* out of the Old Teſtament, for probat of a divine right either in their *Claſſes, Preſbyteries* or *Independent Congregations* to cenſure ſcandalous ſins and ſinners with Eccleſiaſticall cenſures? And whither the *Statutes* of 31. *H.* 8. c. 10. [appointing *a Lay Vicegerent in all Eccleſiaſticall matters*] 26. *H.* 8. cap. 1. 37. *H.* 8. c. 17. 1. *E.* 6. c. 2. 1. *E.* c. 1. [*appointing Laymen, and Lay-Commiſſioners, to exerciſe all manner of Eccleſiaſticall juriſdiction* by way of cenſure,] doe not juſtifie ſuch Commiſſioners to be legall, as well as theſe texts warrant them to be in ſome ſort divine?

5ly. Whether there bee any precept or preſident in all the Old Teſtament directly or punctually determining, that there was by divine inſti-

tution

on an unquestionable Ecclesiasticall jurisdiction vested by God himselfe in Priests, Levites, or any Jewish Officers, to examine witnesses upon Oath, convent or censure any scandalous sinners by excommunication, or suspension of them from the Tabernacle, Temple, publike Assemblies, Synagouges, Sacrifices solemn publike festivalls, or other sacred Ordinances for any scandalous sin whatsoever? If so, then what are these precepts presidents, and scandalous sins in particular? And whether it be probable they had any direct authority given them by God himselfe, to suspend or put back any from the Sacraments of Circumcision, or the Passeover (which Baptisme and the Lords Supper now succeed) since both of them originally were ordered to be performed in private, by the (o) *Parents* or *Masters* of *the Family*, not Priests or Levites; and executed or eaten by them in their (p) *severall private houses*, where the Priests and Levites had no Ecclesiasticall jurisdiction that we read of, and were not present at these sacred actions unles only at some few solemn generall Passeovers at *Jerusalem*, where they were but *Ministeriall to* (q) *helpe kill the Passeovers, and sprinkle the blood*, not *Magisteriall*, to keep any back from eating thereof, by any pretext of Ecclesiasticall Authority.

(o) Gen. 17. 10. to 28. c. 21 4. c 24, 22, 23, 24. Exod. 12, 48. c 4. 24, 25 26. Luk. 2. 21. John 7. 22. Josh. 10. 2, 3, 7 Acts 7. 8.

(p) Exod. 12. 3, 4, 15, 21, 40 to 46. Mat. 26 17. to 26. Mar. 14, 12. to 19 Master *Rutherfords* due Right of Presbyteries, p. 473 474, 475.

(q) 2 Chro. 30 13 to 21. c 35 1. to 20. Ezra 6. 18 to 22. 1 Cor. 10. 1. to 8. compared together.

6ly. Whether Ministers or Presbyteries under the Gospell, have any other or greater Ecclesiasticall jurisdiction then the Jewish High Priest, Priests, and Levites had under the Law? And whether Christian Kings, Magistrates have not as large an Ecclesiasticall power and Authority under the Gospell, as any godly Kings or Magistrates exercised under the Law? If you answer negatively to the first and affirmatively to the latter of these demands; then how can that Ecclesiasticall jurisdiction of Presbyteries or Congregations, and their power of Church censures, distinct from the civill Magistracy, be any way justified or maintained by the Scripture? If affirmatively in the first, and Negatively in the latter, then shew us direct Scripture Authorities to convince our judgments of what you thus assert, or else give over your pretence of *jus divinum*? It is confessed both by the *Presbyterians*, and *Independents*, and cleare by *sundry* * *expresse texts*, that Christian Majestrates are *jure Divino*, and have an undoubted divine Authority, yea command to punish and cut off all scandalous sinners, *Psal.* 100 5. 7, 8. *Rom.* 13. 1. to 8. *Pro.* 20. 26. Whether *Presbyteries, or Independent* Congregations, have any divine Ecclesiasticall right to punish them with Church censures, is very disputable and denyed by many. Therefore it is the safest, readiest way to Unity and Reformation to remit the punishment of all scandalous offences to the Civill Magistrate, rather than to the pretended disputable questioned authority of Presbyteries, Classes, or Independent Congregations.

* See Question 1. in the Margin.

7ly Whether there be any expresse texts in all the New Testament, and what in particular, which infallibly evince an Ecclesiasticall jurisdiction by divine right to be setled by Christ in all Christian Ministers, Presbyteries, or Congregations, and in which of them in particular, to continue unalterably in all Churches of *Christ* to the end of the world for the excommunication or suspention of all kinds of scandalous persons from the Sacrament, though

though they externally pretend and professe their sincere repentance in generall? or any certain rules prescribed them in the Gospell and in what particular Texts for the due execution of this jurisdiction in * all cases or scandalls that may happen? If not, whether it can probably bee imagined that Christ in his wisdome would erect, institute and vest an Ecclesiasticall Government in Church Officers, without prescribing them any certaine rules whereby to manage it in all particulars, and leave them to proceed in an arbitrary way, according to their meere pleasures contrary to *Mat.* 28. 19 20. If yea, then produce these texts to us for our satisfaction.

* I am confident there are hundreds of cases *in summa Angelica, Rosella, Hostiensis, Antonius Corsetus, Tho. Zerola*, and other *Canonists*: The *Excommunicatio*, and others which will happen in our Presbyteries concerning *excommunications* and *suspentions*, for the deciding whereof there is no one rule nor Text in Scripture: Then how can their proceedings therein be *Iure Divino*, and regulated by Gods word?

8ly. What rules or presidents are there in Scripture to relieve parties grieved by unjust Ecclesiasticall censures either by appeales or other ways and to what superior Tribunalls? If no such rules or presidents appeare therein; admitting Presbyteries or Congregations Ecclesiasticall jurisdictions, censures to be *Iure divino*, then whether by Gods own Law, which provides them no reliefe the parties injured must not remain remediles when most injuriously sentenced by any private Presbytery, Classis, Congregation without any help or benefit of Appeale to Provincial, Nationall Synods, Parliaments or the Civill Magistrate? And if so: whether this will not introduce as many absolute tyrannies, and arbitrary Tribunalls, [against which we have so much contested of late] as there are Presbyteries, or Congregations: especially if wee grant them a generall power of all things they themselves shall judge to bee scandals, without confining them to particulars, or establish their jurisdictions by a divine right, which no meer humane power or institution can controle?

Ninthly. Whether if Christ hath instituted or left any exact Ecclesiasticall jurisdiction, discipline or power of censures to his Church distinct from the Civill Magistracy and censues, this pretended jurisdiction discipline or power be so absolute and sufficient of it selfe alone as to bee fully able to correct redresse, reform all abuses, scandalls corruptions, and suppresse all Heresies, Schismes, Errors, Vices, arising in every Church? If not, then we may justly suspect, it is no reall jurisdiction nor discipline instituted by Christ, *who would [r] institute and bequeath no incompleate, nor imperfect jurisdiction, judicatory, or discipline to his best Beloved Spouse the Church*: If yea, whether is that jurisdiction now contended for by *Presbyterians* or *Independents*, such? If so then it is compleate, and every way selfe-sufficient without the concurrence or assistance of the Christian Magistrate or any temporall authority to assist, maintaine it, or supply its defects: But this none can truly assert nor affirme.

(r) Deut. 22. 14. 2 Sam. 22. 31. Psal. 19. 7. 2 Tim. 3. 17.

For *First, no Presbytery Classis* or *Independent Congregation* hath yet challenged, not can claim by divine right any coercive power by way of *attachment imprisonment, or fine* to bring any party or witnesse summoned so much as to appeare before them, in case of wilfull neglect or refusall to appeare, or be examined, to prepare any cause or sentence.

Secondly, *In* case any Ecclesiasticall censure of *Excommunication* or suspention bee inflicted by them upon scandalous person after full hearing, if they absolutely contemne the same or refuse to conform themselves, or by

open violence intrude into the Congregation, Church, or force the Minister to give the Sacrament to them though excommunicated or suspended.

Thirdly, In case any *Hereticke Schismaticke*, or *prophane person* shall willfully seperate from our Congregations, (as thousands now doe) refusing to communicate with us in any Ordinances, proclaiming us to bee no Churches, and passe a schimaticall sentence of *Non-Communion* with us, by reason of some unjust exceptions or pretences against our Orthodox Doctrine discipline, or form of government; and thereupon refuse to appeare before our Presbyteries, Congregations, or to submit unto their jurisdictions or censures; in all these and such like cases, the pretended divine Ecclesiasticall power, censures of Presbyteries, Classes, or Independent Congregations are at a *Nonplus*, and so defective, invalid of themselves to enforce obedience to such contumatious, or reduce, reclaime such hereticall, schismaticall, or prophane persons from their obstinacy, Heresies, Schismes and neglect of publike Ordinances, that they are enforced to pray in ayde from the *Civill Magistrate by Capias excommunicatums, imprisonments fines*, or other such civil compulsory means the only effectuall course by way of censure used in all ages to suppresse, reform * heresies, schismes, and the only way to suppresse, redresse them now) without which all their Ecclesiasticall censures, are both contemptible, ineffectuall, and altogether insufficient to reform abuses: So that if the Magistrates bee *Infidels, Hereticks*, or *Schismaticks*, who will not; or prophane negligent timorous or licentious persons, who care not or dare not to assist the *Presbyteries Classes* or *Congregations* inforcing submission to their Church processes, censures, they are so defective and ineffectuall of themselves, that none can justly call, or infallibly prove them to be the *Kingdom, Scepter, Government, discipline and censures of Christ*, whereby his Church must onely bee governed, purged, reformed as some now pretend them to bee, without any Scripture authority, which no where so much as once stiles Church-Discipline, Christs kingdome or Scepter.

(*) I am assured a speciall (much desired) active Committee to examine and punish the broachers of new blasphemous Hereticall Anabaptisticall errors, and gatherers of Schismaticall Conventicles, and *Indictments* of such as our Assizes and Sessions, would more suppresse them in one moneth, then all Ecclesiasticall Judicatories in an Age. See *Justinian: Cod. lib. 1. Tit. 4. 6. 8. & Codex. Theod: lib. 16.* Where we finde obstinate Hereticks, and Schismaticks, punished and suppressed by temporall Laws. 1. They were disabled to thus inherit by discent, or to purchase any Lands; to buy, sell, make any contract Will, or take any Legacy: to sue, or to be witnesses in any Court of Justice; to beare any Office, civill; or Military; to bee present at any councells or elections, or to List themselves Souldiers in the Army, whence they were cashiered when detected to bee such. Secondly, Their goods were all confiscated, or went to their next heires that were Orthodox, their persons banished, and in some cases imprisoned and put to death. Thirdly, Their hereticall books were prohibited and burnt, the houses where they kept Diurnall or Nocturnall Conventicles confiscated, if kept there with the Owners privity or consent: If by the Tenants privitie without the Land-lords, if the Tenant were poore; then he was publikely bastanadoed or whipt, if rich, then fined; and their conventicles both in Churches and private places prohibited, suppressed, under severe penalties. By these meanes and censures alone Hereticks, Heresies, Scismaticks have alwayes beene suppressed, restrained informer ages; but never by church censures, which they both derided and contemned. See *Frid: Lindebrogns Codex Legum Antiqu: Leges wisigothor, lib. 12. Tit. 2. Lex 2. Neap. 1. Tit. 1. 2. Capitul: Karoli & Lud: lib. 5. Tit. 183. Paul. Geschinij, Constit: Carolinæ, Rubr. 3, 4, 5.* with our owne Statutes against Recusants, and Hereticks; And these will be the only meanes to suppresse them now.

holy. Whi-

10ly. Whether *Mat.* 18. 15, 16, 17. (if meant of Chriſtian *Preſbyteries* or *Church Officers*, as is pretended, not of the civill Magiſtracy or Jewiſh Sanhedrim, whereas the word ἐκκλησία, which wee tranſlate Church, both in the Old and New Teſtament ſignifieth any Aſſembly, as well civill and prophane, as *Eccleſiaſticall*, or *Religious*, as is cleare by *Acts* 19. 39. 41. and ſundry Texts of the Old Teſtament, as Maſter * *Rutherford* himſelfe confeſſeth) gives any authority to them to proceed *ex officio*, againſt notorious ſcandalous ſins (as *Idolatry*, *Blaſphemy*, *ſwearing*, *drunkenneſſe*, *&c.*) ſince it ſpeakes not of any publike ſcandalous offences againſt God and the Church, but only of private perſonall * *treſpaſſes* between man and man, to bee proceeded againſt only upon the voluntary complaint of the party offended, after previous private admonitions, and then reproofes before witneſſes, yea, of ſuch offences, *which upon private ſatisfaction wee are to forgive 77. times*, without any publike complaint, or cenſure, *Luk.* 17. 3, 4. Therefore not meant of meer publike ſcandalls, which no private man can remit, and no Church or Presbytery will grant that they ought to be 77. *times remitted* one after another, without the leaſt *ſuſpention* or *excommunication*, upon meer externall ſhews of Repentance: And whether, *thou haſt gained thy brother*, in this Text be meant properly of gaining him to God by true repentance, or only unto him who gaines him, by way of reconciliation, and renewing friendſhip, as the phraſe it ſelfe, compared with *Prov.* 18. 19. intimates?

* Due Rights of Presbyteries, *pag.* 349. 350. and Divine Right of Church Government, *pag.* 231.

* So this word *Treſpas* is uſed here, and in Mat. 6. 14, 15. Luke 17. 3, 4. Gen. 31. 36. cap. 50. 17, 1. Sam. 25, 28. Though ſome falſly aver it is never uſed in Scripture but for a *treſpaſſe* or ſin againſt God.

11ly. Whether, *Acts* 15. 1. to 36. where a *Synod* of *Apoſtles*, *Elders*, and *Brethren* met together at *Jeruſalem*, to debate and reſolve a dubious point of doctrine only about Circumciſion, without exerciſing any act of diſcipline or Eccleſiaſticall cenſure on any ſcandalous perſon, be a ſound divine Authority, to evidence to any mans conſcience, the Divine Right of *Preſbyteries*, *Claſſes*, or *Independent Congregations*, to inflict Eccleſiaſticall cenſures upon ſcandalous Delinquents, or to examine witneſſes upon Oath againſt them, of which there is not one ſillable in that text?

12ly. Whether the precept of *Paul* 1 *Cor.* 5. 13. *for putting away from among them the inceſtuous perſon*, written to this particular Church in this one caſe of inceſt onely, againſt which heinous ſcandalous ſinne, (*not ſo much as named among the very Gentiles*, ver. 1.) being then under Heathen Magiſtrates they could not ſafely complaine to them of it without great ſcandall, nor go *to Law before them for ordinary juſt civill things without offence*, as appeares by the very next words, 1 *Cor.* 6, 1. to 9. when as by the Law of God had the Magiſtrates there bin Jewes or Chriſtians this ſin of *Inceſt* was to be puniſhed *by them*, not with excommunication or ſuſpention from the Church, *but death it ſelfe*, *Lev.* 18. 8. c. 20. 11, 12. Be any ſatisfactory or infallible argument for the continuance & exerciſe of excommunication, or ſuſpention from the Sacrament in all *Churches* of Chriſt in all ſucceeding ages in all other caſes of ſin or ſcandall, though the Magiſtrates in them be Chriſtian, and may, yea ought to puniſh thoſe ſins with death or other temporall cenſures, if complained of? Whether thoſe that preſſe this text may not as well conclude from the verynext words, 1 *Cor.*

6.1. to 9. that it is unlawfull for Chriſtians to goe to Law before any Chriſtian Judges now, and that they muſt ſue onely before their Presbyteries or Congregations for meere temporall matters, becauſe *Paul* then commanded the Corinthians not to go to Law before heathen Judges to prevent ſcandall, but only in the Church before the *Saints*, or ſuch Judges as the Church ſhold appoint them? As inferre, that all ſcandalous perſons muſt bee excommunicated and ſuſpended from the Sacrament by Claſſes, Presbyteries, and cenſured only by them now, not by the Chriſtian Majeſtrate, becauſe the inceſtuous *Corinthian* was then Ordered to bee put away and puniſhed by the Church and Saints of *Corinth*, for want of a Chriſtian Majeſtrate to puniſh him with death, or corporall cenſures? Yea, whether they may not as *Logically* and *Theologically* argue from the very next chap. 1 *Cor.* 7, 27. *where Paul* writes thus: *I ſuppoſe therefore that this is good for the preſent diſtreſſe* [*or neceſſity*] *for a man not to touch a Woman, or marry*; *Ergo*, it is lawfull, yea it is neceſſary for Chriſtian men or Women in all ages, Churches of Chriſt to vow perpetuall *Virginity*, and not *to marry at all*, as the *Papiſts* thence inferre in defence of their *Monks*, *Nons*, and *unmarried Clargie*; As reaſon from this Text, That *Paul* in regard of the Corinthians preſent diſtreſſe and neceſſity for want of Chriſtian Majeſtrates to puniſh this inceſtuous *perſon* with death, and civill cenſures adviſeth the *Church of Corinth*, *To put away from AMONG THEMSELVES that wicked perſon*; [or *thing* as ſome read it:] *Ergo* all Miniſters Presbyteries and particular congregations of *Chriſt* have a divine inherent Eccleſiaſticall right and power in them to puniſh not only inceſtuous perſons, but all other ſcandalous ſinners with excommunication, ſuſpention from the *Sacrament*, and other *Church cenſures*, even when and where there is no ſuch neceſſity nor defect of Chriſtian Magiſtrates but ſufficient ſtore of them both able and willing to puniſh ſuch with civill puniſhments anſwerable to their crimes and ſcandals? This is all that can bee extracted from this Text, whereon they moſt rely; which muſt needs bee a groſſe inconſequent, becauſe no Apoſtolicall advice to any one particular *Church* upon a private extraordinary occaſion and neceſſity only, can or ought to bee a generall binding Law or Inſtitution of Chriſt to oblige all other Churches whatſoever in the like, or any other caſes, where there is no ſuch extraordinary occaſion or neceſſity; As is cleare by one pregnant evidence in the 16. chap. of this very Epiſtle, *v.* 1. 2. *concerning the Collection then adviſed to be made for the Saints*, by the *Corinthians on every firſt day of the weeke*, *or weekely*; which being but a particular advice and *direction to this Church for that one Collection*; is * no *binding Law or Rule* to all other Churches of Chriſt ſtrictly to imitate in all their enſuing Collections, as is evident by *Acts* 13.28, 29 30. 2 *Cor.* 8.1. to 21. c. 9.1. to 15. *Rom.* 13. 25. 26. *Philip.* 4. 14. to 20. Elſe no Church could ſince appoint any publike monthly collections on week dayes or faſting dayes, but only weekly Collections on the Lords day, under paine of tranſgreſſing the inſtitution of Chriſt and this Apoſtle; which none dare aver: However, ſince the Apoſtle writes not here to any *Claſſis*, *Preſbytery*, or *Preſbyter*, but to the whole Church

* See truth triumphing over falſhood, *p.* 155. 156.

Church at *Corinth*; *TO PUT AWAY FROM AMONG THEMSELVES, that wicked perſon*: [that is, to ſeclude him wholly from their *Congregation, Church, Company*, and not ſo much *as to eate at their Tables*, or *keep any company with him at all*, as is evident by ver. 7. 9 11.] not to ſuſpend him only *from the Lords Supper*, of which there is not one ſillable in this cha. nor of any ſuch ſuſpention in the 10. and 11. chapters where he purpoſely treates of this Sacrament] we may well queſtion, whether it makes not more againſt Presbyteries and Claſſes divine power of Excommunication, and a bare ſuſpention of ſcandalous perſons from the Lords Supper only, without ſecluding them from all other Ordinances and Church Aſſemblies as well as it, then for them; it being contrary to the very definition and practiſe of *Excommunication* hitherto known and uſed in the Church, to excommunicate a notorious ſcandalous perſon from the Lords Supper only once a moneth, a quarter, a yeare, for feare of infecting others, and yet to admit him daily or weekly to joyne with the Church in all other Ordinances but it alone; when all [*a*] *Schoolmen*, [*b*] *Canoniſts* reſolve, that excommunication [eſpecially that they call *Major Excommunication*] excludes men, not onely from *the Sacrament but likewiſe from entring into the Church, the very ſociety and prayers of the faithfull, and thoſe who wittingly keepe company, buy or ſell with ſuch* are to be *ipſo facto excommunicated*; Whereas many now pretend it ſhould ſeclude men from the Lords Supper onely, but not from any other Ordinance, contrary to this, *to* [*c*] *other Texts produced by our oppoſites for proofe of Excommunication, and all ſound Antiquity.*

13ly. Whether there bee any ground or example at all in Scripture to enjoyn the civill Chriſtian Magiſtrate, in caſes of obſtinacy, contumacy againſt Church cenſures inflicted by Presbyteries or Congregations to become a meer ſervant and executioner to Presbyteries Congregations or Church Officers, (as the Pope and Prelates anciently made them,) to enforce Obedience to their cenſures by impriſonment or other coercive meanes without any particular examination of the merits of the cauſe, or juſtice of the proceedings? Whether ſuch Miniſteriall execution of their cenſures, if admitted, do not neceſſarily ſubject the people to a double juriſdiction, vexation for one and the ſelf-ſame ſcandalous crime which may prove more intolerably oppreſſive to them then the moſt exorbitant country Committees or *Prelates conſiſtories* if not exactly bounded, & ſubordinate the *Magiſtracy* to the *Miniſtery, Preſbyteries* & particular congregations in point of Authority? wch if obliged by any divine Law to ſee *Church cenſures* executed and enforce obedience to them then certainely Chriſtian Majeſtrates as ſuch, muſt either be Church Officers as well as Miniſters or Lay Elders; (the rather, becauſe all Precepts given to *Majeſtrates* themſelves in Scripture are given only to ſuch * *Godly* or *Chriſtian Majeſtrates who belive, embrace the Scriptures*, and are Members of a viſible *Church* or Chriſtian ſtate as ſuch, not to any Infidels or heathen Majeſtrates as heatheniſh, or meer Majeſtrates out of the *Church*, as ſome groſly miſtake] elſe they were not obliged by Gods Law to ſee *Church* cenſures executed, obeyed, ſubmitted too, if no Church Officers.

And

[a] *Alexan. Alenſis* ſum. Theol: pars 4. qu. 21. 22. *Scotus* in 4. Sent. diſt. 22. Thomas, *Richardus, Paludanus, Durandus*; in 4. ſent. diſt. 18. p. *Bonfeildius Enchirid Theolog*: pars 5. c. 1.

(b) *Gratian Cauſ.* 11. qu. 3. *Summa Angelica, & Roſella Tit. Excommunicatio Hoſtienſis. Sum.* l. 5. *Tit. De Sentent. Excom. Antonius Corſetus Tit. Excom. Bochellus, Decret. Eccleſ. Gal.* 2. Tit. 14.

[c] 2 Theſ. 3. 14. 2 John 10. 11. 2 Tim. 2. 17. Tit. 1. 13. c. 3. 10. Rom. 11. 3. John 10. 16. 17. John 9. 22. 32, 33. cap. 12. 42. c. 16. 2. Numb. 5. 2, 3. 4. c. 21. 14, 15. Deut. 23. 1. 2, 3

* See Deut. 17. 14, to 21. 2 Sam. 7. 8, c. 32. 1, 3. 1 Kings 17. 9. 2 Chron. 9. 8. c. 19. 5. to 11. c. 29. to 33. Iſay 49. 23.

And whether the *Antiqueries* by affirming, *it is the Magiſtrates duty to puniſh an obſtinate Offender, at the motion of the Church or of one particular Miniſter, which he ought to do whether deſired by them or no:* doth not thereby grant that the power of puniſhing obſtinate ſcandalous ſinners, even for pretended Eccleſiaſtical Offences, belongs properly to the Chriſtian Magiſtrates, not to Eccleſiaſticall Conſiſtories and Presbyteries?

14ly. Whether it be not more agreeable to the word of God, the Rules of Juſtice, and more conducing to the Churches peace for the *Civill Majeſtrate* juditially to examine, puniſh all pretended ſcandalous perſons with temporall cenſures, and then (if they ſtill continue impenitent) to certifie the proofs taken before him to the Presbytery, *Claſſis*, or Congregation, upon their requeſt, for their conviction there, to ground an Excommunication or ſuſpention upon, if there be cauſe: then to give them immediate power to examine all ſcandalls themſelves upon Oath, without firſt acquainting the Civill Majeſtrate with it, or deſiring his antecedent examination of the ſcandalls, of purpoſe to ſubject them to Church cenſures? Since we read of no ſuch Examinations upon Oath practiſed by *Preſbyteries, Church Officers*, or particular Congregations among the Jewes or Chriſtians in Scripture: which if taken in writing and recorded (as they ought to bee, that ſo they may be ſcanned upon Appeales) there muſt then be a particular *Examiner or Regiſter* at leaſt appointed in every *Preſbytery, Claſſis* and *Provinciall Synod* to record them; for which they will expect a conſtant Fee from the Church or State or an anſwerable recompence from the parties accuſing or accuſed; (which cannot be ſetled without *Act* or *Ordinance* of Parliament being new Fees and Offices) and ſo it will draw a very great unneceſſary charge (farre greater then that of Biſhops and their Officialls) upon the people; which they will unwillingly beare. In which regard it is fitteſt the civill Majeſtrates or Juſtices of Peace ſhould only take the Examinations of ſcandalls, as they doe in caſes of *Felony and other ſcandalous crimes*, and certifie them to the Presbyterie, or Claſſis, as there ſhall be need.

15ly. Whether it be not both unjuſt and unreaſonable to preſſe the Parliament to ſettle any kind of Church government as preſcribed *Jure divino*, before it be clearly demonſtrated or manifeſted to their judgments and conſciences to be ſo, by perſpicuous undenyable proofes from Scripture? Or to importune them to grant any unlimited arbitrary power to *Claſſes, Preſbyteries*, or *Congregations*, to judge of or cenſure unknown contingent ſcandals [never yet thus cenſured from *Adams* dayes till now] before they can ſo much as conjecture what they are, or where ever they will bee perpetrated in our Churches? ſince offences alwayes uſe to (*b*) *preceed Lawes* made to puniſh them; and *ex malis moribus optimæ oriuntur leges*, as all Polititians have reſolved? whether the demanding of ſuch an unlimited power to bee now eſtabliſhed, be not as bad, yea more unreaſonable then the late Prelates &c. *Oath* (moſt juſtly damned, declaimed againſt,) and ſavours not more of *wilfulnes* then *conſcience*, of the ſpirit of (*i*) *Diotrephes*, then of *Chriſt*, of whoſe kingdom ſome pretend it to be a moſt neceſ-

(*b*) Lev. 24. 10. to 29. Num. 15. 32, 37.

(*i*) 1 John 3 9. 10, 11.

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ſary and inſeperable Branch? Whether any Prophet, Apoſtle, godly Preſbyter, private Congregation or Claſſis in the primitive Church, ever ſollicited their *Princes* or *Parliaments* for ſuch an exorbitant unlimited power, and who in particular? Or whether any reformed Churches beyond the Seas doe at this day claime, or really enjoy, execute any ſuch an indefinite Arbitrary power (as ſome falſly pretend they doe) and what Churches in particular?

16. Whether Chriſtian Princes and Majeſtrates *k* indu'ging of overmuch power, honour and Eccleſiaſticall Authority in point of Iuriſdiction Church *cenſures*. and excommunication in former ages to the Clergie, under this apprehention perſwaſion, that they were moſt pious, conſcientious, holy, moderat, juſt and humble perſons, who would exerciſe it for *Gods* glory only, and the Churches good; hath not bin the true Originall cauſe of all that *Antichriſtian Tyranny, perſecution, exorbitances* of Popiſh Prelates, and C'ergiemen, which have over-ſpred, corrupted, infeſted the Church and people of God? And whether former examples of this kinde may not juſtly leſſon us to beware of the like error for the preſent, though our Miniſters who claim this Eccleſiaſticall Iuriſdiction now conteſted for by a Divine Right be never ſo godly, upright, diſcreet, humble, conſcientious ſince we know not what many of our Miniſters, Elders who muſt exercile it in the Country are for the preſent; or what the beſt of them all or their ſucceſſors at leaſt may prove for the *l future*, (m) (*ambition being mans firſt ſin, and moſt pleaſing to our corrupt natures, as we ſee by* the example of [*n*] *Chriſts own Apoſtles* and daily experiences every where eſpecially when they have engroſſed more Eccleſiaſticall power into their hands by pretext of a Divine Right, then ever the expreſſe Law of God, or Chriſt himſelfe in his Goſpell hath delegated to them. It is very obſervable, that while the [*o* Popes claimed their Papacy and ſuperiority over other Churches by grants and donations from the Chriſtian Emperors of *Rome*, they were very humble, loyall, and obſequious to them. But after the long enjoyment of their tranſcendent juriſdiction by imperiall donations had ſo far puffed them up with pride as by degrees to deſert their true ancient claime, and challenge both their Papacy and Supremacy by a Divine Right from Chriſt himſelfe by wreſting divers Scriptures to their purpoſe [and ſome of thoſe among others which our Divines now principally inſiſt upon,] they preſently caſt off both their ſubjection and Loyalty to the Emperors at once; and ſo proſecuted them with excommunications, Interdicts, ſuſpentions, rebellions, force of Armes, and parties raiſed againſt them in their owne Empires; that at laſt they quite trampled them under their feete, diſpoſing of their Crownes at pleaſure, making them ſweare ſo emne homage to them as their Vaſſalls, and to hold their Imperiall Crownes from them alone, who formerly did homage to and held their Biſhopricks, with all the Papall juriſdiction they enjoyed only from them: Yea if our Presbyteries, Claſſes or Independent Congregations ſhall bee admitted to hold and enjoy all the Eccleſiaſticall juriſdiction they now pretend to, by a Divine Right; and the Parliament their power, authorie,

k See Iuſtin: Cod. l. 1. Tit. 7. De Epiſcopali Audientia Capit. Caroli & Ludovici Imp. l. 6. c. 301 313. 314, 322, 323, 326, 330. lib. 1. throughout. Leges Wiſigoth, l. 2. c. 29, 30.

l Acts 20. 29, 31 2 King 8. 12. Eccleſ. 2. 19, 18

m Gen 3. 5, 6. 3. John 9. 10.

n Mat. 20. 20. & 29. Luk. 22. 24. to 31.

(o) See *Philip de Morney* his Myſtery of iniquity, *Cavolus Moliuæus, Commentat in Edict: Henrici ſecundi, &c. c ntra parvas datas, &c. Abbas uſpergenſis Platina & Bulæus de vitis Pontificum Romanorum:* Grimſtons *Imperiall Hiſtory*,

ty, onely by a meere humane institution, and not by as cleare a Divine Right as theirs; the next consequence I feare will be (and we see it already maintained in some [x] *Presbyterians* and more [y] *Independents* printed Bookes;) That our Parliaments, Kings, and temporall Majestrates must have nothing at all to do with Church Officers, or Church government by way of direction, correction, or appeale, but meerly as their subordinate Ministers, to ratifie their determinations and enforce obedience to their censures; which if they neglect or refuse to doe, or stop their proceedings by any *Prohibitions* or *legall course*, for ought I know, when their Divine pretended authority is setled to their minds, the next thing they shal heare of will bee; that which our Kings, Judges, and Officers, did heretofore from our Clergy in Archbishop * *Boniface* his time, when they opposed their extravagancies even a serious admonition to obey their dictates and after that an *Interdiction of all their Lands, Castles, Townes* with a suspention of them from the *Sacrament* or excommunication from or Noncommunion with their *Congregations* for this Contumacy: *And then Lord have mercy upon us miserable sinners*, we may sooner bewayle then remove that spirituall Yoak of bondage which we thus suffer voluntarily to be imposed both in our own and others necks; It being a very difficult task and work of many ages to moderate abate, regulate or suppresse any Ecclesiasticall jurisdiction, though never so exorbitant, especially if once legally setled, or but incroached by couior of a Divine Right, as wee see by the *Papacy* and our late exploded *Prelacy*.

I shal therfore close up all with the Apostles seasonable advice, *Gal.* 5.1. *Stand fast therefore in the liberty wherewith Christ hath made us free and be not again intangled with any Yoak of bondage*, which Christ himselfe hath not imposed on us by a cleare and evident institution in his word: *Christs* * *Yoake is easie and his burthen light*, to which all people must with cheerfulnesse submit; if the *Presbyterians* yoke, in suspending men from the Sacrament for all kinde of supposed scandalls, though they professe unfained penitence for all their sins and eaenestly desire to receive it; or the *Independents* Yoak, in *non-admitting* or *secluding* those from their Congregations whom they judg not *reall Saints* or will not subscribe to their private Church Covenants, and denying all benefit of *Appeales* to any *superiour judicatories* paramount their own *private Congregations*, (without any expresse precept or president in Scripture, to warrant these their practises, proceedings) bee not such, wee may justly suspect and reject them too, as none of Christs.

(x) Mr. *Rutherford*.
(y) Mr. *John Goodwin*. Master *Henry Burton*. Master *Saltmarsh*. Mr. *Robinson* and others.

* *Lindwode*, *Provinc.* lib. 5. *Tit. de Pœnis* c. 226. &c. *Jo. de Aton. Const.* c. 138. to 142.

* Matth. 11. 30

FINIS.